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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ALAN MICHAEL BARTLETT,

10 Petitioner,

11 Case No. C18-1574-RAJ

12 v.

13 PAUL PENZONE,

14 Respondent.

15 ORDER DISMISSING ACTION

16 The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and
17 Recommendation of James P. Donohue, United States Magistrate Judge, and the remaining
18 record, hereby finds and ORDERS:

19 (1) The Report and Recommendation is approved and adopted.

20 (2) Petitioner's petition for writ of habeas corpus (Dkt. 9-1) and this action are
21 DISMISSED with prejudice for lack of jurisdiction.

22 (3) Petitioner's application to proceed with this action *in forma pauperis* (Dkt. 9) is
23 DENIED as moot.

24 (4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
25 United States District Courts, a certificate of appealability is DENIED.

ORDER DISMISSING ACTION

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1 (5) The Clerk is directed to send copies of this Order to petitioner and to the
2 Honorable James P. Donohue.

3 DATED this 13th day of March, 2019.

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7 The Honorable Richard A. Jones
8 United States District Judge

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